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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

DARREN I. DEBOSE,  
Plaintiff,

vs.

TRANS UNION LLC,  
Defendants.

Case No.: 2:18-cv-01641-JAD-NJK

**[PROPOSED] STIPULATED  
PROTECTIVE ORDER**

IT IS HEREBY STIPULATED by and between Plaintiff Darren I. Debose (“Plaintiff”) and Defendant Trans Union, LLC (“Trans Union”) (collectively, the “Parties”), by and through their counsel of record, as follows:

WHEREAS, documents and information have been and may be sought, produced or exhibited by and among the parties to this action relating to trade secrets, confidential research,

1 development, technology or other proprietary information belonging to the defendants and/or  
2 personal income, credit and other confidential information of Plaintiff.

3 THEREFORE, an Order of this Court protecting such confidential information shall be and  
4 hereby is made by this Court on the following terms:

5 1. This Order shall govern the use, handling and disclosure of all documents,  
6 testimony or information produced or given in this action which are designated to be subject to  
7 this Order in accordance with the terms hereof.

8 2. Any party or non-party producing or filing documents or other materials in this  
9 action may designate such materials and the information contained therein subject to this Order by  
10 typing or stamping on the front of the document, or on the portion(s) of the document for which  
11 confidential treatment is designated, "Confidential."  
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13 3. See order issued concurrently herewith.  
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19 4. All documents, transcripts, or other materials subject to this Order, and all  
20 information derived therefrom (including, but not limited to, all testimony, deposition, or  
21 otherwise, that refers, reflects or otherwise discusses any information designated Confidential  
22 hereunder), shall not be used, directly or indirectly, by any person, including Plaintiff and Trans  
23 Union for commercial or competitive purposes or for any purpose whatsoever other than solely for  
24 the preparation and trial of this action in accordance with the provisions of this Order.

25 5. All depositions or portions of depositions taken in this action that contain  
26 confidential information may be designated as "Confidential" and thereby obtain the protections  
27 accorded other confidential information. The parties shall have twenty-one (21) days from the date  
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1 a deposition is taken, or fourteen (14) days from the date a deposition transcript is received,  
2 whichever date is greater, to serve a notice to all parties designating portions as "Confidential."  
3 Until such time, all deposition testimony shall be treated as confidential information. To the extent  
4 any designations are made on the record during the deposition, the designating party need not serve  
5 a notice re-designating those portions of the transcript as confidential information. Any party may  
6 challenge any such designation in accordance with Paragraph 13 of this Order.  
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8 6. Except with the prior written consent of the individual or entity designating a  
9 document or portions of a document as "Confidential," or pursuant to prior Order after notice, any  
10 document, transcript or pleading given "Confidential" treatment under this Order, and any  
11 information contained in, or derived from any such materials (including but not limited to, all  
12 deposition testimony that refers, reflects or otherwise discusses any information designated  
13 confidential hereunder) may not be disclosed other than in accordance with this Order and may  
14 not be disclosed to any person other than: (a) the Court and its officers; (b) parties to this litigation;  
15 (c) counsel for the parties, whether retained counsel or in-house counsel and employees of counsel  
16 assigned to assist such counsel in the preparation of this litigation; (d) fact witnesses subject to a  
17 proffer to the Court or a stipulation of the parties that such witnesses need to know such  
18 information; (e) present or former employees of the producing party in connection with their  
19 depositions in this action (provided that no former employees shall be shown documents prepared  
20 after the date of his or her departure); and (f) experts specifically retained as consultants or expert  
21 witnesses in connection with this litigation.

22 7. Documents produced pursuant to this Order shall not be made available to any  
23 person designated in Subparagraph 6 (f) unless he or she shall have first read this Order, agreed to  
24 be bound by its terms, and signed the attached Declaration of Compliance.

25 8. Third parties who are the subject of discovery requests, subpoenas or depositions  
26 in this case may take advantage of the provisions of this Protective Order by providing the parties  
27 with written notice that they intend to comply with and be bound by the terms of this Protective  
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1 Order.

2 9. All persons receiving any or all documents produced pursuant to this Order shall  
3 be advised of their confidential nature. All persons to whom confidential information and/or  
4 documents are disclosed are hereby enjoined from disclosing same to any person except as  
5 provided herein and are further enjoined from using same except in the preparation for and trial of  
6 the above-captioned action between the named parties thereto. No person receiving or reviewing  
7 such confidential documents, information or transcript shall disseminate or disclose them to any  
8 person other than those described above in Paragraph 6 and for the purposes specified, and in no  
9 event, shall such person make any other use of such document or transcript.  
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11 10. Nothing in this Order shall prevent a party from using at trial any information or  
12 materials designated "Confidential."

13 11. This Order has been agreed to by the parties to facilitate discovery and the  
14 production of relevant evidence in this action. Neither the entry of this Order, nor the designation  
15 of any information, document, or the like as "Confidential," nor the failure to make such  
16 designation, shall constitute evidence with respect to any issue in this action.

17 12. Inadvertent failure to designate any document, transcript, or other materials  
18 "Confidential" will not constitute a waiver of an otherwise valid claim of confidentiality pursuant  
19 to this Order, so long as a claim of confidentiality is promptly asserted after discovery of the  
20 inadvertent failure. If a party designates a document as "Confidential" after it was initially  
21 produced, the receiving party, on notification of the designation, must make a reasonable effort to  
22 assure that the document is treated in accordance with the provisions of this Order, and upon  
23 request from the producing party certify that the designated documents have been maintained as  
24 confidential information.

25 13. If any party objects to any designation of any materials as "Confidential," the  
26 parties shall attempt in good faith to resolve such objection by agreement. If the parties cannot  
27 resolve their objections by agreement, the party objecting to the designation may seek the  
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1 assistance of the Court. A party shall have thirty (30) days from the time a “Confidential”  
2 designation is made to challenge the propriety of the designation. Until an objection has been  
3 resolved by agreement of counsel or by order of the Court, the materials shall be treated as  
4 Confidential and subject to this Order.  
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7 14. Within sixty (60) days after the final termination of this litigation, all documents,  
8 transcripts, or other materials afforded confidential treatment pursuant to this Order, including any  
9 extracts, summaries or compilations taken therefrom, but excluding any materials which in the  
10 good faith judgment of counsel are work product materials, shall be returned to the Producing  
11 Party. In lieu of return, the parties may agree to destroy the documents, to the extent practicable.

12 15. **The designating party shall have the burden of proving that any document**  
13 **designated as CONFIDENTIAL is entitled to such protection.**

14 16. Nothing herein shall affect or restrict the rights of any party with respect to its own  
15 documents or to the information obtained or developed independently of documents, transcripts  
16 and materials afforded confidential treatment pursuant to this Order.

17 17. The Court retains the right to allow disclosure of any subject covered by this  
18 stipulation or to modify this stipulation at any time in the interest of justice.  
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**IT IS SO STIPULATED.**

Dated November 6, 2018

**KNEPPER & CLARK LLC**

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*Counsel for Defendant Trans Union LLC*

*Debose v. TransUnion, LLC*  
*Case No. 2:18-cv-01641-JAD-NJK*

**ORDER GRANTING**

**STIPULATED PROTECTIVE ORDER**

**IT IS SO ORDERED.**

Dated: Nov. 7, 2018

  
UNITED STATES MAGISTRATE JUDGE